

REMARKS/ARGUMENTS

Claims 1-13 are all the claims pending in this application.

Reconsideration of the subject patent application and allowance of the claims are respectfully requested in view of the following remarks.

Claim 1 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Haagh et al. (U.S. Patent No. 5,151,920) ("Haagh") in view of Stein et al. (U.S. Patent No. 5,291,517) ("Stein"). Applicant respectfully traverses this rejection.

Independent claim 1 recites, inter alia, "a plurality of correctors for latching, with the pieces of reception timing that are outputted from said timing detector, a plurality of frequency components of the respective spread spectrum signals, the frequency components being produced by de-spreading and then polar-coordinates-converting the spread spectrum signals, and correcting for an offset, and outputting resulting signals."

As admitted by the Patent Office, Haagh does not disclose the plurality of correctors of claim 1. Office Action at page 3 (lines 1 and 2). Notwithstanding the Patent Office's assertion to the contrary, Stein also fails to disclose, teach or suggest the plurality of correctors.

Stein relates to a carrier frequency corrector for a DSSS communication system. The plurality of phase correctors (e.g., phase correcting device) adjusts for differences in the carrier phase of each signal component outputted from respective correlators. Col. 3, lines 20-22 and FIG. 3. In other words, the signals are outputted from the plurality of correlators, and the differences in the carrier phase of each signal is adjusted by the phase correctors, respectively.

In contradistinction, the pieces of reception timing outputted from the timing detector are traced individually for the spread spectrum signals. The plurality of correctors 9a-9c latches, with pieces of reception timing outputted from a timing detector 8, a plurality of frequency components ϕ of respective spread spectrum signals. The frequency components ϕ are produced by de-spreading (e.g., spreading

code generator 6), polar-coordinates-converting (e.g., POLAR 7) the spread spectrum signals, correcting for an offset, and outputting resulting signals. Clearly, the phase correctors of Stein are not the same as the frequency correctors of the present invention.

Further, the Patent Office has not met its burden of establishing a prime facie case of obviousness. "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." MPEP § 2142. The Patent Office's stated rationale (i.e., "it would have been obvious ... to incorporate a plurality of correctors such as the one [sic] taught by Stein into the receiver portion of Haag with the motivation being that it provides proper synchronization, thus enhancing efficiency") is no more than a hindsight reliance on the teachings in the present application of the advantages of the present invention. Neither Haag nor Stein expressly or impliedly suggest incorporating a plurality of correctors into a receiver for providing synchronization or enhancing efficiency, and a skilled artisan would not have found such modification obvious in light of these references.

Based on the foregoing remarks, independent claim 1 cannot be rendered obvious over the combination of the Haag and Stein references. Hence, the § 103(a) rejection should be withdrawn.

Dependent claims 2-13 depend directly or indirectly from independent claim 1 and should be allowed for at least the same reasons as discussed above with respect to claim 1.

Appl. No. 09/585,571
Request for Reconsideration dated July 22, 2004
Reply to Office Action of April 22, 2004

Applicants submit that the present application is now in condition for allowance.
Reconsideration and favorable action is earnestly requested.

Respectfully submitted,

By 

Monica S. Davis
Attorney for Applicants
Registration No. 44,492
ROTHWELL, FIGG, ERNST & MANBECK, p.c.
Suite 800, 1425 K Street, N.W.
Washington, D.C. 20005
Telephone: (202) 783-6040
Facsimile: (202) 783-6031

L:\2469\2469-107.AM1